

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Ronald L. Harris, <i>et al.</i> ,)	
)	
Plaintiffs,)	Case No. 1:04-CV-380
)	
vs.)	
)	
North College Hill Police)	
Department, <i>et al.</i> ,)	
)	
Defendants.)	

Order Granting Summary Judgment

Plaintiffs initiated this matter by filing a complaint on June 2, 2004, in which they asserted violations of the Fourth and Fourteenth Amendments to the United States Constitution and a claim for slander against the North College Hill Police Department and its Chief. On July 1, 2005, Defendants filed a well-supported motion for summary judgment with respect to all of Plaintiffs' claims (Doc. 12). Plaintiffs did not file a memorandum in opposition to Defendants' motion for summary judgment within the time allotted by Southern District of Ohio Local Rule 7.2. Accordingly, on August 9, 2005, this Court issued an order requiring Plaintiffs to show cause, on or before August 26, 2005, for the denial of Defendants' motion. The Court advised Plaintiffs that it would grant Defendants' motion in the event that they failed to timely respond to the Show Cause Order.

On August 26, 2005, Plaintiffs moved for an extension

of the show cause deadline to September 2, 2005. The Court granted their motion and extended the period within which Plaintiffs could respond to September 6, 2005. Plaintiffs have, nevertheless, failed to file a response to the Show Cause Order.

The Court has carefully considered Defendants' motion for summary judgment and the evidence they have adduced in support of that motion. Without question, Defendants have demonstrated that they are entitled to summary judgment with respect to all of Plaintiffs' claims in the absence of evidence establishing the existence of a genuine issue of material fact with respect to any of the issues addressed in the motion. Their motion constitutes a well-supported motion for summary judgment in accordance with Rule 56(e) of the Federal Rules of Civil Procedure. They are, therefore, entitled to summary judgment because Plaintiffs have not responded with evidence of "specific facts showing that there is a genuine issue for trial." Fed.R.Civ.P. 56(e).

For that reason, Defendants' motion for summary judgment is hereby **GRANTED** in its entirety. This matter is **CLOSED** on this Court's docket.

IT IS SO ORDERED.

_____/s/
Sandra S. Beckwith, Chief Judge
United States District Court